

## Title 48

## PUBLIC HEALTH—GENERAL

## Part I. General Administration

### Subpart 1. General

## Chapter 23. Informed Consent

## §2301. Disclosure of Risks/Patient Consent

A. Pursuant to R.S. 40:1299.40E, the Louisiana Medical Disclosure Panel recommends use of the following general form, or use of a substantially similar form, for disclosure of risks and hazards related to medical care and surgical procedures.

## PATIENT CONSENT TO MEDICAL TREATMENT OR SURGICAL PROCEDURE AND ACKNOWLEDGEMENT OF RECEIPT OF MEDICAL INFORMATION

**INFORMATION ABOUT THIS DOCUMENT  
READ CAREFULLY BEFORE SIGNING**

TO THE PATIENT: You have been told that you should consider medical treatment/surgery. Louisiana law requires us to tell you (1) the nature of your condition, (2) the general nature of the medical treatment/surgery, (3) the risks of the proposed treatment/surgery, as defined by the Louisiana Medical Disclosure Panel or as determined by your doctor, and (4) reasonable therapeutic alternatives and material risks associated with such alternatives.

You have the right, as a patient, to be informed about your condition and the recommended surgical, medical or diagnostic procedure to be used so that you may make the decision whether or not to undergo the procedure after knowing the risks and hazards involved.

In keeping with the Louisiana law of informed consent, you are being asked to sign a confirmation that we have discussed all these matters. We have already discussed with you the common problems and risks. We wish to inform you as completely as possible. Please read the form carefully. Ask about anything you do not understand, and we will be pleased to explain it.

1. **Patient Name** \_\_\_\_\_
2. **Treatment/Procedure:**  
(a) Description, nature of the treatment/procedure:  
\_\_\_\_\_  
\_\_\_\_\_  
(b) Purpose:  
\_\_\_\_\_  
\_\_\_\_\_
3. **Patient Condition:**  
Patient's diagnosis, description of the nature of the condition or ailment for which the medical treatment, surgical procedure or other therapy described in Item Number 2 is indicated and recommended:  
\_\_\_\_\_  
\_\_\_\_\_
4. **Material Risks of Treatment Procedure:**  
(a) All medical or surgical treatment involves risks. Listed below are those risks associated with this procedure that we believe a reasonable person in your (the patient's) position would likely consider significant when deciding whether to have or forego the proposed therapy. Please ask your physician if you would like additional information regarding the nature or consequences of these risks, their likelihood of occurrence, or other associated risks that you might consider significant but may not be listed below.  
  
☐ See attachment for risks identified by the Louisiana Medical Disclosure Panel  
☐ See attachment for risks determined by your doctor  
(b) Additional risks (if any) particular to the patient because of a complicating medical condition are:

(c) Risks generally associated with any surgical treatment/procedure, including anesthesia are: death, brain damage, disfiguring scars, quadriplegia (paralysis from neck down), paraplegia (paralysis from waist down), the loss or loss of function of any organ or limb, infection, bleeding, and pain.

**5. Reasonable therapeutic alternatives and the risks associated with such alternatives are:**

## ACKNOWLEDGMENT AUTHORIZATION AND CONSENT

**6.(a) No Guarantees:** All information given me and, in particular, all estimates made as to the likelihood of occurrence of risks of this or alternate procedures or as to the prospects of success, are made in the best professional judgment of my physician. The possibility and nature of complications cannot always be accurately anticipated and, therefore, there is and can be no guarantee, either express or implied, as to the success or other results of the medical treatment or surgical procedure.

(b) **Additional Information:** Nothing has been said to me, no information has been given to me, and I have not relied upon any information that is inconsistent with the information set forth in this document.

(c) **Particular Concerns:** I have had an opportunity to disclose to and discuss with the physician providing such information, those risks or other potential consequences of the medical treatment or surgical procedure that are of particular concern to me.

(d) **Questions:** I have had an opportunity to ask, and I have asked, any questions I may have about the information in this document and any other questions I have about the proposed treatment or procedure, and all such questions were answered in a satisfactory manner.

(e) **Authorized Physician:** The physician (or physician group) authorized to administer or perform the medical treatment, surgical procedures or other therapy described in Item 2 is:

(Name of authorized physician or group)

(f) Physician Certification: I hereby certify that I have provided and explained the information set forth herein, including any attachment, and answered all questions of the patient, or the patient's representative, concerning the medical treatment or surgical procedure, to the best of my knowledge and ability.

(Signature of Physician) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

## CONSENT

**Consent:** I hereby authorize and direct the designated authorized physician/group, together with associates and assistants of his choice, to administer or perform the medical treatment or surgical procedure described in item 2 of this Consent Form, including any additional procedures or services as they may deem necessary or reasonable, including the administration of any general or regional anesthetic agent, x-ray or other radiological services, laboratory services, and the disposal of any tissue removed during a diagnostic or surgical procedure, and I hereby consent thereto.

I have read and understand all information set forth in this document, including any attachment, and all blanks were filled in prior to my signing. This authorization for and consent to medical treatment or surgical procedure is and shall remain valid until revoked.

I acknowledge that I have had the opportunity to ask any questions about the contemplated medical procedure or surgical procedure described in Item 2 of this consent form, including risks and alternatives, and acknowledge that my questions have been answered to my satisfaction.

Witness \_\_\_\_\_ Date/Time \_\_\_\_\_

Patient or Person Authorized to Consent	Date/Time
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Relationship

If consent is signed by someone other than the patient, state the reason:

**Attachment to Consent to Medical Treatment or  
Surgical Procedure and Acknowledgment of  
Receipt of Medical Information**

Patient's Signature

Date/Time

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299, 40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR:1581 (December 1993), amended LR 20:307 (March 1994).

**§2303. Female Genital System Treatments and Procedures**

**A. Abdominal Hysterectomy (Removal of Womb Resulting in Sterility)**

1. uncontrollable leakage of urine;
2. injury to bladder;
3. death;
4. injury to the tube (ureter) between the kidney and the bladder;
5. injury to the bowel and/or intestinal obstruction;
6. infection;
7. damage to major blood vessels, hemorrhage, need for transfusion of blood products;
8. painful intercourse;
9. ovarian failure requiring hormone administration;
10. pulmonary embolism (blood clot from pelvis or legs that moves to lungs);
11. formation of fistula (leakage of urine or bowel contents through vagina);
12. unsatisfactory sexual function;
13. bleeding;
14. failure of wound to heal;
15. permanent and disfiguring scarring.

**B. Vaginal Hysterectomy (removal of womb resulting in sterility)**

1. uncontrollable leakage of urine;
2. injury to bladder;
3. death;
4. injury to the tube (ureter) between the kidney and the bladder;
5. injury to the bowel and/or intestinal obstruction;
6. infection;
7. damage to major blood vessels, hemorrhage, need for transfusion of blood products;
8. painful intercourse;
9. ovarian failure requiring hormone administration;
10. pulmonary embolism (blood clot from pelvis or legs that moves to lungs);
11. formation of fistula (leakage of urine or bowel contents through vagina);
12. unsatisfactory sexual function;
13. bleeding;
14. failure of wound to heal;
15. permanent and disfiguring scarring;

16. completion of operation resulting in abdominal incision.

**C. All Fallopian Tube and Ovarian Surgery with or without Hysterectomy, including Removal and Lysis of Adhesions**

1. injury to the bowel and/or bladder;
2. sterility;
3. failure to obtain fertility (if applicable);
4. failure to obtain sterility (if applicable);
5. loss of ovarian functions or hormone production from ovary(ies);
6. injury to ureter;
7. injury to major blood vessels, hemorrhage, need for transfusion of blood products;
8. failure to remove entire ovary possibly requiring further surgery (ovarian remnant syndrome);
9. pulmonary embolism.

**D. Abdominal Endoscopy (Peritoneoscopy, Laparoscopy)**

1. puncture of the bowel or blood vessel;
2. abdominal infection and complications of infection;
3. abdominal incision and operation to correct injury;
4. injury to bladder;
5. injury to ureter;
6. possible air embolus.

**E. Removing Fibroids (Uterine Myomectomy)**

1. uncontrolled leakage of urine;
2. injury to bladder;
3. sterility;
4. injury to the tube (ureter) between the kidney and the bladder;
5. injury to the bowel and/or intestinal obstruction;
6. pulmonary embolism.

**F. Uterine Suspension**

1. uncontrollable leakage of urine;
2. injury to bladder;
3. sterility;
4. injury to the tube (ureter) between the kidney and the bladder;
5. injury to the bowel and/or intestinal obstruction;
6. painful intercourse;
7. pulmonary embolism.

**G. Removal of the Nerves to the Uterus (Presacral Neurectomy)**

1. uncontrollable leakage of urine;
2. injury to bladder;
3. sterility;
4. injury to the tube (ureter) between the kidney and the bladder;
5. injury to the bowel and/or intestinal obstruction;
6. hemorrhage, complications of hemorrhage with additional operation.

**H. Removal of the Cervix**

1. uncontrolled leakage of urine;
2. injury to bladder;
3. sterility;
4. injury to the tube (ureter) between the kidney and the bladder;
5. injury to the bowel and/or intestinal obstruction;
6. completion of operation by abdominal incision;
7. pulmonary embolism.

**I. Repair of Vaginal Hernia (Anterior and/or Posterior Colporrhaphy and/or Enterocele Repair)**

1. uncontrolled leakage of urine;
2. injury to bladder;
3. sterility;
4. injury to the tube (ureter) between the kidney and the bladder;
5. injury to the bowel and/or intestinal obstruction;
6. risk of hemorrhage;
7. risk of infection;
8. painful intercourse;
9. risk of formation of fistula between the urinary tract and vagina or intestinal tract and the vagina;
10. difficulty urinating;
11. pulmonary embolism;

J. Abdominal Suspension of the Bladder (Retropubic Urethropexy)

1. uncontrolled leakage of urine;
2. injury to the bladder;
3. injury to the tube (ureter) between the kidney and the bladder;
4. injury to the bowel and/or intestinal obstruction;
5. painful inflammation or destruction of pubic bone (osteitis pubis);
6. risk of infection;
7. risk of damage to urethra;
8. risk of difficulty urinating;
9. Pulmonary embolism;

K. Conization of Cervix

1. hemorrhage with possible hysterectomy to control;
2. sterility;
3. injury to bladder;
4. injury to rectum;
5. failure of procedure to remove all of cervical abnormality;
6. scar tissue formation of mouth of womb (cervical stenosis);
7. weakening of mouth of womb resulting in miscarriage with future pregnancies (incompetent cervix);
8. pulmonary embolism.

L. Dilation and Curettage of Uterus (Diagnostic)

1. hemorrhage with possible hysterectomy;
2. perforation of the uterus;
3. sterility;
4. injury to bowel and/or bladder;
5. abdominal incision and operation to correct injury;
6. formation of scar tissue in uterine cavity (Ashermann Syndrome).

M. Dilation and Curettage of Uterus (Obstetrical)

1. hemorrhage with possible hysterectomy;
2. perforation of the uterus;
3. sterility;
4. injury to bowel and/or bladder;
5. abdominal incision and operation to correct injury;
6. formation of scar tissue in uterine cavity (Ashermann Syndrome);
7. failure to remove all products of conception.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

**§2305. Maternity and Related Cases**

A. Delivery (Vaginal)

1. injury to bladder and/or rectum, including a hole (fistula) between bladder and vagina and/or rectum and vagina;
2. hemorrhage possibly requiring blood administration and/or hysterectomy and/or artery ligation to control;
3. sterility;
4. brain damage, injury, or even death occurring to the fetus before or during labor and/or vaginal delivery whether or not the cause is known;
5. uterine disease or injury requiring hysterectomy;
6. pulmonary embolus;
7. risk of infection;
8. possible painful intercourse.

B. Delivery (Cesarean Section)

1. infection;
2. injury to bladder and/or rectum, including a fistula (abnormal hole) between bladder and vagina and/or rectum and vagina;
3. hemorrhage possibly requiring blood administration and/or hysterectomy and/or artery ligation to control;
4. sterility;
5. brain damage, injury, or even death occurring to the fetus before or during labor and/or cesarean delivery whether or not the cause is known;
6. uterine disease or injury requiring hysterectomy;
7. pulmonary embolus;
8. disfiguring scarring.

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended by the Department of Health and Hospitals, Office of the Secretary, LR 22:29 (January 1996), repromulgated LR 22:456 (June 1996).

**§2307. Anesthesia**

A. Arterial Catheterization

1. decrease in blood flow to area supplied by the artery;
2. nerve damage;
3. loss of or loss of function of the limb or portion of the limb supplied by the artery.

B. Central Venous and Pulmonary Artery Catheterization

1. hemorrhage (bleeding) into the lungs, the pericardium (sac which surrounds the heart), the chest cavity and elsewhere;
2. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart);
3. cardiac arrest (heart attack);
4. stroke;
5. pneumothorax (lung collapse);
6. infection;
7. cardiac arrhythmias (irregularities of the heart rhythm);
8. shock (severe drop in blood pressure);
9. damage to blood vessels;
10. damage to trachea (windpipe) and/or pharynx (throat);
11. injury to vocal cords;

12. distal embolization (air, fat particles or blood clots which circulate in the bloodstream until becoming lodged in a vein or artery);

13. damage to nerves, the lymph ducts, the heart and the lungs;

14. infusion to fluid into the chest cavity, lungs and pericardium.

C. Transesophageal Echocardiography

1. esophageal injury;

2. damage to teeth.

D. Epidural, Spinal, Regional

1. allergic, abnormal or hypersensitivity reaction to drugs or equipment may be fatal;

2. aspiration (inhalation) into the bronchi (airway) or lungs of stomach contents, stomach acids and foreign objects;

3. leakage of cerebrospinal fluid;

4. chipped or broken teeth;

5. convulsion (seizures);

6. epidural blood clot or abscess (bleeding or infection in the space adjacent to the spinal cord which may damage the spinal cord);

7. broken needles or catheters which may lead to complications and necessitate additional treatment;

8. production of an unintended high level of anesthesia which may necessitate need for artificial respirators and insertion of a breathing tube;

9. incomplete analgesia (pain or discomfort during the procedure);

10. injury to the lips, tongue and inside of the mouth or airway injury;

11. laryngeal and vocal cord trauma or edema (injury to or swelling of the vocal cords);

12. loss of bowel or bladder function or sexual function;

13. heart attack or other heart problems;

14. decreased blood pressure;

15. shock;

16. nerve damage ranging from loss of sensation to total paralysis;

17. back pain;

18. death;

19. brain damage;

20. severe headaches.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

**§2309. Risks and Complications of General Anesthesia**

A. Allergic, abnormal or hypersensitivity reaction to drugs or equipment, which may be fatal.

B. Aspiration (inhalation) into the bronchi (airway) or lungs of stomach contents, stomach acids and foreign objects.

C. Laryngeal and/or vocal cord trauma or edema (injury to or swelling of the vocal cords).

D. Heart Attack or Other Heart Problems

E. Death

F. Brain Damage

G. Shock

H. Nerve Damage Ranging from Loss of Sensation to Total Paralysis

I. Chipped or Broken Teeth

J. Esophageal Injury

K. Burns

L. Malignant Hyperthermia (dangerously high fever which may result in death)

M. Injury to Lips, Tongue and Inside of Mouth or Airway Injury

N. Breathing Difficulties

O. Eye Injuries

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

**§2311. Anesthesia and Pregnancy**

A. List of complications which have occurred to an unborn child in association with obstetrical anesthesia includes:

1. hypoxia or anoxia (deprivation of sufficient amounts of oxygen which, if prolonged, can cause death or brain damage);

2. cardiac and/or respiratory depression (reduction of the heart and/or breathing rate which can lead to hypoxia or anoxia);

3. brain damage;

4. mental retardation;

5. injury to body organs;

6. seizure disorders;

7. quadriplegia (paralysis of both arms and both legs);

8. paraplegia (paralysis of both legs);

9. spasticity (involuntary contraction of one or more muscles with associated loss of muscle function);

10. meconium aspiration (drawing of meconium, a fetal waste product sometimes present in the fluid surrounding the fetus, into the lungs of the unborn child);

11. broken bones;

12. death.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended by the Department of Health and Hospitals, Office of Public Health, Medical Disclosure Panel, LR 23:75 (January 1997).

**§2313. Endocrine System Treatments and Procedures**

A. Thyroidectomy

1. injury to the nerves resulting in hoarseness or impairment of speech;

2. injury to parathyroid glands resulting in low blood calcium levels that require extensive medication to avoid serious degenerative conditions, such as cataracts, brittle bones, muscle weakness and muscle irritability;

3. lifelong requirement of thyroid medication.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

**§2315. Nervous System Treatments and Procedures**

A. Spine Operation, including Laminectomy, Decompression, Fusion, Internal Fixation, or Procedures for Nerve Root or Spinal Cord Compression; Spine Operations

for: Diagnosis; Pain, Deformity; Mechanical Instability; Injury; Removal of Tumor, Abscess, or Hematoma (Excluding Coccygeal Operations)

1. pain, numbness or paralysis, or clumsiness;
2. weakness of arm(s), hand(s), leg(s) or foot (feet) [including paraplegia (paralysis of both arms or paralysis of both legs) and quadriplegia (paralysis of all four extremities)];
3. loss of function of bladder;
4. loss of function of bowel;
5. loss of sexual function;
6. unstable spine;
7. recurrence or continuation of the condition that required the operation;
8. injury to major blood vessels;
9. leakage of spinal fluid;
10. failure to relieve pain or increase in pain;
11. failure or breakage of internal fixation;
12. infection;
13. death;
14. hemorrhage, requiring transfusion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

### **§2317. Oral Surgery**

A. Removal of Tooth (including Impacted Tooth) (an impacted tooth is under the gum or bone)

1. infection;
2. bleeding;
3. failure of wound to heal;
4. injuries to adjacent teeth and/or hard or soft tissues;
5. paresthesia or numbness of face and/or mouth;
6. fracture of mandible (lower jaw) or maxilla (upper jaw);
7. opening between mouth and sinus or mouth and nose;
8. tooth or fragment in maxillary sinus;
9. incomplete removal of tooth;
10. dry socket;
11. possible injury to tmj (temporomandibular joint dysfunction or jaw joint).

B. Repair or Removal of Damaged Teeth

1. infection;
2. bleeding;
3. failure of wound to heal;
4. paresthesia or numbness of face and/or mouth;
5. loss of teeth;
6. loss of bone.

C. Removal of Exostosis, Tori, Tuberosities (Excess Bone)

1. infection;
2. bleeding;
3. failure of wound to heal;
4. slough (unanticipated loss of hard and/or soft tissue);
5. paresthesia or numbness of face and/or mouth;
6. opening between mouth and sinus or mouth and nose;
7. injury to adjacent structures.

D. Dental Implants

1. infection;

2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. premature loss of implant(s) and attachment(s);
6. loss of bone;
7. mobility of implant (failure of implant to attach);
8. paresthesia or numbness of face and/or mouth;
9. mandibular fracture (lower jaw);
10. injury to adjacent teeth;
11. inability to place implant in intended site;
12. injury of maxillary sinus.

E. Maxillary and Mandibular Osteotomies (Cutting and Movement of Jawbones)

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. difficulty in mastication (chewing);
6. malocclusion (improper bite);
7. continued muscle pain and headaches;
8. impaired or obstructed airway (difficulty in breathing) which might cause death;
9. undesirable facial appearance;
10. new or continued temporomandibular joint symptoms (tmj);
11. nerve injury;
12. failure of bone to heal;
13. loss of teeth, bone or soft tissue;
14. damage to teeth requiring additional treatment (root canal);
15. relapse or shift of jaw structures;
16. opening between mouth and sinus or mouth and nose.

F. Genioplasty (Chin Reconstruction), Sliding Osteotomy (Cutting and Moving the Bone), Bone Graft, Alloplast (Synthetic Implant)

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. undesirable chin contour;
6. failure of bone to heal;
7. paresthesia or numbness of face and/or mouth;
8. resorption of hard and/or soft tissues secondary to alloplast implant (synthetic);
9. injury to dental structures;
10. rejection of implant material;
11. lip incompetence (droop of lip).

G. Surgery for Cleft Lip/Palate and Craniofacial Deformities (Repair of Defects from Birth Injury, Prior Surgery, and/or Disease)

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. impaired chewing or swallowing;
6. unstable or inadequate function of dental occlusion (bite);
7. residual speech problems or impairment;
8. unfavorable facial symmetry;
9. airway impairment (difficulty in breathing) which might cause death;
10. nerve injury□sensory or motor (feeling and function);

11. loss of grafted or implanted materials;
12. blood supply compromise to tissues, hard and soft, resulting in loss of tissues;
13. failure of bone to heal;
14. failure to correct deformity;
15. opening between mouth and sinus or mouth and nose.

H. Removal of Cyst, Benign Tumors or Malignant Tumors from Jaws

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. recurrence of lesion;
6. loss of bone which would result in facial deformity;
7. unanticipated loss of teeth or adjacent vital structures;
8. facial bone fracture;
9. paresthesia or numbness of face and/or mouth;
10. metastasis (spread of cancer if tumor is cancerous).

I. Surgical Treatment of Facial Infection Including Drainage

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. loss or damage to teeth and adjacent structures including bone;
6. persistence and/or spread of infection to other parts of body;
7. airway impairment (difficulty in breathing) which might cause death.

J. Surgical Removal of Cysts, Benign Tumors and Stones of the Salivary Gland

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. recurrence of original problem;
6. metastasis (spread of cancer if tumor is cancerous);
7. damage or loss of adjacent vital structures (salivary);
8. persistent problem requiring removal of gland.

K. Temporomandibular Joint Disease (Surgery and/or Manipulation)

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. failure to relieve pain;
6. inability to chew properly;
7. restriction of jaw movement;
8. locking of jaw joint (open or closed);
9. failure of alloplast (synthetic implant) to function requiring removal;
10. malocclusion (improper bite);
11. motor or sensory nerve damage (function or feeling);
12. damage to ear canal, cartilage, or middle ear;
13. development of arthritis condition.

L. Surgical Repair of Mandible (Lower Jaw) Fractures

1. infection;
2. bleeding;

3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. failure of bones to heal properly;
6. malocclusion (improper bite);
7. damage to teeth or loss of teeth;
8. motor or sensory nerve damage (function and feeling).

M. Surgical Repair of Maxilla (Upper Jaw) Fractures

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. failure of bones to heal properly;
6. malocclusion (improper bite);
7. opening between mouth and sinus or mouth and nose;
8. loss of bone or teeth;
9. chronic sinusitis or sinus infection;
10. motor or sensory nerve damage (function and feeling);
11. telecanthus (widening of the space between the eyes);
12. abnormal eye movements;
13. abnormal vision;
14. difficulty breathing;
15. overflow of tears;
16. inability to smell.

N. Surgical Correction of Soft Tissue Injuries of Face

1. infection;
2. bleeding;
3. failure of wound to heal;
4. permanent and disfiguring scarring;
5. failure to restore appearance;
6. motor or sensory nerve damage (function and feeling);
7. salivary gland duct damage.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended by the Department of Health and Hospitals, Office of Public Health, Medical Disclosure Panel, LR 23:75 (January 1997), LR 24:1304 (July 1998).

**§2319. Digestive System Treatment and Procedures**

A. Cholecystectomy (Removal of the Gallbladder) with or without Common Bile Duct Exploration

1. pancreatitis (inflammation of the gland that produces insulin);
2. injury to the tube (common bile duct) between the liver and the bowel;
3. retained stones in the tube (common bile duct) between the liver and the bowel;
4. narrowing or obstruction of the tube (common bile duct) between the liver and the bowel;
5. injury to the bowel and/or intestinal obstruction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

**§2321. Hematic and Lymphatic System**

A. Transfusion of Blood and Blood Components

1. fever;

2. transfusion reaction which may include kidney failure or anemia;
3. heart failure;
4. hepatitis;
5. AIDS (acquired immune deficiency syndrome);
6. other infections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

### **§2323. Integumentary System Treatment and Procedures**

#### **A. Radical or Modified Radical Mastectomy (Simple Mastectomy Excluded)**

1. limitation of movement of shoulder and arm;
2. swelling of the arm;
3. loss of the skin of the chest requiring skin graft;
4. failure to completely eradicate the malignancy;
5. decreased sensation or numbness of the inner aspect of the arm and chest wall;
6. injury to major blood vessels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993).

### **§2325. Radiology**

#### **A. Cerebral Angiography**

1. injury to the artery entered or studied;
2. swelling, pain, tenderness or bleeding at the blood vessel entrance by catheter or needle;
3. stroke;
4. death;
5. blindness;
6. brain damage;
7. aggravation of the condition that necessitated the procedure;
8. emboli to the brain;
9. allergic sensitivity reaction to the injected contrast medium;
10. bleeding requiring transfusion or surgery.

#### **B. Coronary Angiography**

1. injury to artery entered or studied;
2. damage to heart (including occlusion of coronary artery or perforation);
3. myocardial infarction (heart attack);
4. possible need for open heart surgery to correct complication of procedure or deterioration of the patient's medical condition;
5. arrhythmia (irregular heartbeat);
6. cardiac arrest;
7. death;
8. swelling, pain, tenderness or bleeding at the blood vessel entrance by catheter or needle;
9. aggravation of the condition that necessitated the procedure;
10. allergic sensitivity reaction to injected contrast media;
11. bleeding requiring transfusion or surgery.

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### **§2327. Repair of Coarctation of Aorta**

- A. Quadriplegia
- B. Paraplegia (Paralysis of Both Legs or Both Arms)
- C. Permanent Hoarseness
- D. Chylothorax (Leakage of Chyle, the White Body Fluid from Intestines Carried by the Lymphatic Vessels, into the Chest Cavity)
- E. Loss of Bowel and/or Bladder Function
- F. Impotence in a Male

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### **§2329. Repair of Aortic Dissection**

- A. Stroke
- B. Renal Failure
- C. Bowel Infarction
- D. Paraplegia (Paralysis of Both Legs or Both Arms)
- E. Death

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

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### **§2331. Lung Resection**

- A. Prolonged Air Leak
- B. Empyema (Collection of Pus)
- C. Need for Additional Surgery to Control Infection, Bleeding or Air Leak.

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### **§2333. Any Procedure Requiring Cardiopulmonary Bypass**

- A. Stroke
- B. Respiratory Complications (Including Need for Prolonged Ventilatory Support)
- C. Kidney Failure
- D. Death
- E. Bleeding Requiring Reoperation

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### **§2335. Insertion of Intra-Aortic Augmentation Balloon**

- A. Paraplegia (Paralysis of Both Legs or Both Arms)
- B. Loss of Extremity
- C. Bowel Infarction
- D. Renal Failure

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## **§2337. Radiation Therapy (Radiation Oncology)**

### **A. Head and Neck**

#### **1. Early Reactions**

- a. reduced and sticky saliva, loss of taste and appetite, altered sense of smell, nausea;
- b. sore throat, difficulty swallowing, weight loss, fatigue;
- c. skin changes; redness, irritation, scaliness, blistering or ulceration, color change, thickening, hair loss;
- d. hoarseness, cough, loss of voice and swelling of airway;
- e. blockage and crusting of nasal passages;
- f. inflammation of ear canal, feeling of "stopped-up" ear, hearing loss, dizziness;
- g. dry and irritable eye(s), if the eyes or tear glands are in the radiation beam;
- h. depression of blood count leading to increased risk of infection and/or bleeding;
- i. these reactions are likely to be intensified by chemotherapy before, during or after radiation therapy.

#### **2. Late Reaction(s)**

- a. dry mouth and altered, or loss sense of, taste;
- b. tooth decay and gum changes;
- c. bone damage, especially in jaws;
- d. stiffness and limitation of jaw movement;
- e. changes in skin texture and/or coloration, permanent hair loss, scarring of skin, poor healing of surgical wounds, and death of normal tissue;
- f. swelling of tissues, particularly under the chin;
- g. throat damage causing hoarseness, pain, or difficulty breathing or swallowing;
- h. eye damage causing dry eye(s), cataract, loss of vision, or loss of eye(s), if the eye is in the radiation beam;
- i. ear damage causing dryness of ear canal, fluid collection in middle ear, hearing loss;
- j. brain, spinal cord, or nerve damage causing alteration of thinking ability;
- k. pituitary or thyroid gland damage requiring long-term hormone replacement therapy;
- l. in children, there may be additional late reactions as follows:
  - i. disturbances of bone and tissue growth;
  - ii. abnormal development of facial bones;
  - iii. brain damage causing a loss of intellectual ability, learning capacity, and reduced intelligence quotient (I.Q.);
  - iv. second cancers developing in the irradiated area.

### **B. Central Nervous System**

#### **1. Early Reactions**

- a. skin and scalp reaction with redness, irritation, scaliness, blistering, ulceration, change in color, thickening, hair loss;
  - b. nausea, vomiting, headaches;
  - c. fatigue, drowsiness;
  - d. altered sense of taste or smell;
  - e. inflammation of ear canal, feeling of "stopped-up" ear, hearing loss, dizziness;
  - f. depression of blood count leading to increased risk of infection and/or bleeding;
  - g. these reactions are likely to be intensified by chemotherapy before, during or after radiation therapy.
- #### **2. Late Reactions**

- a. permanent hair loss of variable degrees, altered regrowth, texture, and color of hair;
- b. persistent drowsiness and tiredness.
- c. brain damage causing a loss of some degree of thinking ability, memory or personality changes, loss of sensation or balance, seizures, hemorrhage, or steroid dependency due to brain swelling, rarely, severe damage may produce paralysis or death;
- d. scarring of skin;
- e. spinal cord or nerve damage causing paralysis, loss of strength, feeling, or coordination in any part of the body;
- f. damage to eye(s) or optic nerve(s) causing loss of vision;
- g. ear damage causing dryness of ear canal, fluid collection in middle ear, hearing loss;
- h. pituitary gland damage requiring long-term hormone replacement therapy;
- i. in children, there may be additional late reactions as follows:
  - i. disturbances of bone and tissue growth;
  - ii. bone damage to spine, causing stunting of growth, curvature, and/or reduction in height;
  - iii. abnormal bone growth in the face or pelvis;
  - iv. brain damage causing a loss of intellectual ability, learning capacity, and reduced intelligence quotient (I.Q.);
  - v. second cancers developing in the irradiated area.

### **C. Thorax**

#### **1. Early Reactions**

- a. skin changes: redness, irritation, scaliness, ulceration, change in color, thickening; hair loss on the chest;
- b. inflammation of esophagus causing pain on swallowing, heartburn, or sense of obstruction;
- c. loss of appetite, nausea, vomiting, weight loss, and weakness;
- d. inflammation of the lung with pain, fever, and cough;
- e. inflammation of the heart sac with chest pain and possible decreased heart function;
- f. bleeding or creation of a fistula resulting from tumor destruction;
- g. depression of blood count leading to increased risk of infection and/or bleeding;
- h. intermittent electric shock-like feelings in the lower spine or legs on bending the neck;
- i. these reactions are likely to be intensified by chemotherapy before, during or after radiation therapy.

#### **2. Late Reactions**

- a. changes in skin texture and/or coloration, permanent hair loss and scarring of skin;
- b. lung scarring or shrinkage causing shortness of breath;
- c. narrowing of esophagus causing swallowing problems;
- d. constriction of heart sac which may require surgical correction;
- e. damage to heart muscle or arteries leading to heart failure or heart attack;
- f. fracture of ribs;

g. nerve damage causing pain, loss of strength or feeling in arms;  
h. spinal cord damage causing paralysis, loss of strength or feeling in arms and legs and/or loss of control of bladder and rectum;

i. liver damage;

j. loss of thyroid function;

k. in children, there may be additional late reactions as follows:

i. disturbances of bone and tissue growth;

ii. bone damage to spine, causing stunting of growth, curvature, and/or reduction in height;

iii. underdevelopment or absence of development of female breast;

iv. second cancers developing in the irradiated area.

#### D. Breast

##### 1. Early Reactions

a. skin changes: redness (sunburn-like), irritation, scaliness, blistering, ulceration, coloration, thickening; hair loss;

b. breast changes, including swelling, tightness, tenderness or pain;

c. inflammation of the esophagus causing pain on swallowing, heartburn, or sense of obstruction;

d. lung inflammation with cough;

e. inflammation of heart sac with chest pain and possible decreased heart functions;

##### 2. Late Reactions

a. changes in skin texture and/or coloration, permanent hair loss and scarring of skin;

b. breast changes, including thickening, firmness, tenderness, shrinkage, or edema (swelling);

c. swelling of arm;

d. stiffness and discomfort in shoulder joint;

e. rib damage causing pain or fracture;

f. nerve damage causing pain, loss of strength or feeling in arm;

g. damage to heart muscle or heart sac leading to heart failure;

h. permanent scarring of the lung producing shortness of breath, cough, or susceptibility to infection;

i. loss of thyroid functions;

j. if there is a cancer recurrence, mastectomy may be required.

#### E. Abdomen

##### 1. Early Reactions

a. skin changes: redness, irritation, scaliness, ulceration, change in color, thickening; hair loss;

b. loss of appetite, nausea, vomiting;

c. weight loss, weakness, fatigue;

d. inflammation of stomach causing indigestion, heartburn, and ulcers;

e. inflammation of bowel causing cramping and diarrhea;

f. depression of blood count leading to increased risk of infections and/or bleeding;

g. these reactions are likely to be intensified by chemotherapy before, during, and/or after radiation therapy.

##### 2. Late Reactions

a. changes in skin texture and/or coloration, permanent hair loss and scarring of skin;

b. stomach damage causing persistent indigestion, pain, and bleeding;

c. bowel damage causing narrowing or adhesions of bowel with obstruction, ulceration or bleeding which may require surgical correction, chronic diarrhea, or poor absorption of food elements;

d. kidney damage leading to kidney failure and/or high blood pressure;

e. liver damage leading to liver failure;

f. spinal cord or nerve damage causing paralysis, loss of strength or feeling in legs and/or loss of control of bladder and/or rectum;

g. these reactions are likely to be intensified by chemotherapy in a patient who is receiving, has received, or will receive radiation therapy:

#### F. Female Pelvis

##### 1. Early Reactions

a. inflammation of bowel causing cramping, diarrhea, nausea, vomiting, and/or decreased appetite;

b. inflammation of rectum and anus causing pain, spasm, discharge, bleeding;

c. bladder inflammation causing burning, frequency, spasm, pain, bleeding;

d. skin changes: redness, irritation, scaliness, blistering or ulceration, coloration, thickening; hair loss;

e. disturbance of menstrual cycle;

f. vaginal discharge, pain, irritation, bleeding;

g. depression of blood count leading to increased risk of infection and/or bleeding;

h. these reactions are likely to be intensified by chemotherapy before, during or after radiation therapy.

##### 2. Late Reactions

a. bowel damage causing narrowing or adhesions of the bowel with obstruction, ulceration, bleeding, chronic diarrhea, or poor absorption of food elements and may require surgical correction or colostomy;

b. bladder damage with loss of capacity, frequency of urination, blood in urine, recurrent urinary infections, pain, or spasm which may require urinary diversion and/or removal of bladder;

c. changes in skin texture and/or coloration, permanent hair loss, scarring of skin;

d. bone damage leading to fractures;

e. ovarian damage causing infertility, sterility, premature menopause, or genetic damage to future offspring;

f. vaginal damage leading to dryness, shrinkage, pain, bleeding, or sexual dysfunction;

g. swelling of the genitals or legs;

h. nerve damage causing pain, loss of strength or feeling in legs, and/or loss of control of bladder or rectum;

i. fistula between the bladder and/or bowel and/or vagina;

j. pelvic fibrosis producing obstruction of bowel or ureters;

k. in children, there may be additional late reactions as follows:

i. disturbances of bone and tissue growth;

ii. bone damage to pelvis and hips causing stunting of bone growth and/or abnormal development;

iii. second cancers developing in the irradiated area.

#### G. Male Pelvis

##### 1. Early Reactions

a. inflammation of bowel causing cramping, diarrhea, nausea, vomiting, and/or decreased appetite;

- b. inflammation of rectum and anus causing pain, spasm, discharge, bleeding;
- c. bladder inflammation causing burning, frequency, spasm, pain and/or bleeding;
- d. skin changes: redness, irritation, scaliness, blistering or ulceration, coloration, thickening; hair loss.
- e. depression of blood count leading to increased risk of infection and/or bleeding;
- f. these reactions are likely to be intensified by chemotherapy before, during or after radiation therapy.

## 2. Late Reactions

- a. bowel damage causing narrowing or adhesions of the bowel with obstruction, ulceration, bleeding, chronic diarrhea, or poor absorption of food elements and may require surgical correction or colostomy;
- b. bladder damage with loss of capacity, frequency of urination, blood in urine, recurrent urinary infections, pain, or spasm which may require urinary diversion and/or removal of bladder;
- c. changes in skin texture and/or coloration, permanent hair loss, scarring of skin;
- d. bone damage leading to fractures;
- e. testicular damage causing reduced sperm counts, infertility, sterility, or risk of birth defects;
- f. impotence (loss of erection) or sexual dysfunction;
- g. swelling of the genitalia or legs;
- h. nerve damage causing pain, loss of strength or feeling in legs, and/or loss of control of bladder or rectum;
- i. fistula between the bowel and other organs;
- j. pelvic fibrosis producing obstruction of bowel or ureters;
- k. in children, there may be additional late reactions as follows:
  - i. disturbances of bone and tissue growth;
  - ii. bone damage to pelvis and hips causing stunting of bone growth and/or abnormal development;
  - iii. second cancers developing in the irradiated area.

## H. Skin

### 1. Early Reactions

- a. redness, irritation, or soreness;
- b. scaliness, ulceration, crusting, oozing, discharge;
- c. hair loss;
- d. these reactions are likely to be intensified by chemotherapy.

### 2. Late Reaction(s)

- a. changes in skin texture causing scaly or shiny smooth skin, thickening, with contracture, puckering, scarring of skin;
- b. changes in skin color or overall appearance;
- c. prominently dilated small blood vessels;
- d. loss of sweating in treated area;
- e. permanent hair loss;
- f. chronic or recurrent ulcerations, severe damage may require skin grafting or plastic surgery;
- g. damage to adjacent tissues, including underlying bone or cartilage;
- h. possible injury may occur from trauma, sun, or frostbite unless the treated area is forever protected;
- i. in children, second cancers may develop in the irradiated area.

## I. Extremities

### 1. Early Reactions

- a. skin changes: redness, irritation, scaliness, ulceration, coloration, thickening; hair loss;
- b. inflammation of soft tissues causing tenderness, swelling, and interference with movement;
- c. inflammation of joints causing pain, swelling and limitation of joint motion;
- d. these reactions are likely to be intensified by chemotherapy before, during or after radiation therapy;
- e. depression of blood counts leading to increased risk of infection and/or bleeding.

### 2. Late Reactions

- a. changes in skin reaction and/or coloration, permanent hair loss, and scarring of the skin;
- b. scarring or shrinkage of soft tissues and muscle causing loss of flexibility and movement, swelling of the limb;
- c. nerve damage causing loss of strength, feeling, or coordination;
- d. bone damage causing fracture;
- e. joint damage causing permanent stiffness, pain, and arthritis;
- f. swelling of limb below the area treated;
- g. in children, there may be additional late reactions as follows:
  - i. disturbances of bone and tissue growth;
  - ii. bone damage to limbs causing stunting of bone growth and/or abnormal development;
  - iii. second cancers developing in the irradiated area.

## J. Total Body Irradiation

### 1. Early Reactions

- a. loss of appetite, nausea, vomiting;
- b. diarrhea;
- c. reduced and sticky saliva, swelling of the salivary gland(s), loss of taste;
- d. hair loss;
- e. sore mouth and throat, difficulty swallowing;
- f. permanent destruction of bone marrow leading to infection, bleeding, and possible fatal lung failure;
- g. inflammation of the lung with fever, dry cough and difficulty breathing with possible fatal lung failure;
- h. damage to liver with possible fatal liver failure;
- i. depression of blood counts leading to increased risk of infection and/or bleeding;
- j. these reactions are likely to be intensified by chemotherapy before, during or after radiation therapy.

### 2. Late Reactions

- a. lung scarring causing shortness of breath, infection, and fatal lung failure;
- b. cataract formation in the eyes, possible loss of vision;
- c. testicular damage in males causing sterility;
- d. ovarian damage in females causing premature menopause and sterility;
- e. increased risk of second cancer;
- f. decreased ability to give further chemotherapy or other cancer treatment.

## K. Endobronchial Radiation

### 1. Early Reactions

- a. a mild sore throat;
- b. some difficulty in swallowing;
- c. bleeding;

- d. infection or pneumonia.
2. Late Reactions
  - a. damage to spinal cord possibly producing paralysis;
  - b. lung scarring;
  - c. hemorrhage (possibly fatal);
  - d. inflammation of heart sac;
  - e. fistula (opening between bronchial tree and lung and/or esophagus);
  - f. pneumothorax (collapse of lung);
  - g. abscess formation;
  - h. death.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299, 40E et seq.

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### **2339. Musculo-Skeletal Procedures in the Extremities**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. A surgical procedure upon, or even a closed manipulation of an extremity, entails risk to a greater or lesser degree, to all major systems of that limb, and can result in varying degrees of weaknesses, deformity, paralysis, pain, numbness, limitation of motion of the joints, and amputation. Furthermore, the goals of the procedures may not be obtained, and other therapy may be found necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended LR 21:469 (May 1995).

### **§2340. Peripheral Nerve Procedures**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

- A. Failure to improve the condition or symptoms.
- B. Injury to underlying nerve(s) of plexus with resultant weakness, numbness, pain including complete anesthesia of the extremity.
- C. Recurrent symptoms which might require further surgery or continuation of condition for which surgery was performed.
- D. Development of chronic pain problem in the area of the nerve, for example, anesthesia dolorosa (painful numbness).

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HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 21:469 (May 1995).

### **2341. Vascular Surgery**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

- A. Carotid Endarterectomy
  1. thrombosis of repair (clotting);
  2. bleeding/hematoma (accumulation of blood), requiring reoperation;

3. infection;
4. transient or permanent stroke;
5. nerve injury causing asymmetry of mouth, swallowing difficulty, hoarseness, weakness/atrophy and numbness of the tongue;
6. myocardial infarction (heart attack);
7. death.

#### **B. Aortic Graft for Abdominal Aortic Aneurysm or Occlusive Disease**

1. bleeding/hematoma (accumulation of blood), requiring reoperation;
2. infection of graft;
3. thrombosis or emboli;
4. limb loss;
5. kidney failure requiring dialysis;
6. ischemia of bowel (inadequate blood supply) with resulting loss of bowel;
7. ischemia of spinal cord (inadequate blood supply) with resulting paraplegia (paralysis of both legs);
8. myocardial infarction (heart attack);
9. death;
10. sexual dysfunction in male, including infertility;
11. temporary dependency on a breathing machine (ventilator).

#### **C. Arteriovenous Shunt for Hemodialysis (Artery Vein Fistula or Synthetic Graft)**

1. bleeding/hematoma (accumulation of blood), requiring reoperation;
2. infection;
3. false aneurysm (damaged blood vessel with swelling and risk of rupture);
4. recurrent thrombosis (clot);
5. severe edema of extremity (swelling);
6. inadequate blood supply to extremity;
7. inadequate blood supply to nerves with resulting paralysis.

#### **D. Femoral, Popliteal or Tibial Bypass Grafts**

1. bleeding/hematoma (accumulation of blood), requiring reoperation;
2. necrosis (death) of skin around the incision with delayed healing;
3. thrombi (clot);
4. emboli (moving clot) □ early or late;
5. limb loss;
6. nerve damage with permanent numbness/weakness;
7. early or late thrombosis (late clotting) requiring reoperation;
8. infection;
9. myocardial infarction (heart attack);
10. death.

#### **E. Lumbar Sympathectomy**

1. injury to major artery/vein;
2. bleeding/hematoma (accumulation of blood), requiring reoperation;
3. injury to nerves (genitofemoral) with resulting numbness in groin and genital area;
4. sexual dysfunction in male with resulting numbness, impotence and infertility;
5. emboli (moving clots).

#### **F. Thoracic Sympathectomy by Thoracotomy or Thoracoscopy or Cervical Dorsal Sympathectomy**

1. Horner's Syndrome (drooping eyelids and constricted pupil).
2. Injury to blood vessel.

3. Pneumothorax (collapsed lung) with bleeding.

4. Infection/empyema (pus collection in chest).

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#### **§2343. Craniotomy**

NOTE: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

- A. Death
- B. Paralysis or Stroke
- C. Infection or Meningitis
- D. Seizure or Epilepsy
- E. Loss of Bone Flap
- F. Personality Change
- G. Loss of Memory
- H. Hemorrhage
- I. Blindness
- J. Loss of Sense of Smell or Taste
- K. Ringing in The Ears or Hearing Loss
- L. Problems with Balance
- M. Double or Blurred Vision
- N. Numbness or Sensory Loss at the Operative Site or Remote from the Operative Site
- O. Blood Clots
- P. Continuation of Condition for which Surgery was Performed
- Q. Incontinence

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299, 40E et seq.

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#### **§2345. Anterior or Posterior Discectomy (with or without Fusion)**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

- A. Death
- B. Quadriplegia
- C. Paraplegia
- D. Increased Pain and Numbness
- E. Hoarseness
- F. Failure of Fusion (Bone Graft Fails to Stabilize)
- G. Infection
- H. Need for Additional Surgery
- I. Continuation of Condition for which Surgery was Performed
- J. Difficulty Swallowing
- K. Injury to Esophagus
- L. Bowel and Bladder Dysfunction

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299, 40E et seq.

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#### **§2347. Plastic Surgery**

##### **A. Facelift and Coronal Lift**

- 1. bleeding or hematoma (blood clot) that may need to be evaluated;
- 2. infection, skin loss, poor healing that may require prolonged treatment;
- 3. hypertrophic (thick) scars that may need to be revised and injected to soften them;
- 4. discoloration and swelling in face and neck;
- 5. numbness and/or pain in face, neck, ears, scalp may be permanent;
- 6. seroma (accumulation of fluid) under skin may require a second surgery or drainage;
- 7. facial nerve damage that can cause facial paralysis;
- 8. loss of hair around incisions may be permanent;
- 9. facial asymmetry (unequal appearance);
- 10. contour irregularities (rippled and uneven) effects of skin surface.

##### **B. Abdominoplasty**

- 1. bleeding and hematoma (blood clot) requiring evacuation;
- 2. infection that may require treatment and dressing changes for a prolonged period;
- 3. poor healing, necrosis (tissue loss), and dehiscence (wound opening) and may require a graft or secondary surgical procedure;
- 4. permanent scars that can become hypertrophic (thick) that may need revision or injections to soften the scars;
- 5. numbness or altered sensation in abdomen may be permanent;
- 6. swelling, tightness, discomfort and pain in abdominal area may be temporary, but can also be permanent;
- 7. blood transfusion reaction with adverse risk of hepatitis, aids, and other complications;
- 8. loss of umbilicus (naval/"bellybutton");
- 9. seroma□accumulation of fluid under skin may require evacuation or drainage.

##### **C. Breast Reduction**

- 1. bleeding or hematoma (blood clot) which may require secondary surgery;
- 2. blood transfusion may be necessary;
- 3. infection or open wound (dehiscence) that may require treatment and dressing changes or secondary surgery;
- 4. poor healing and necrosis of skin (tissue loss);
- 5. permanent hypertrophic (thick) scars around nipple, down to the breast crease, and under breast crease;
- 6. asymmetry (uneven) of breasts and nipples;
- 7. nipple and breast sensation can be altered (numbness) or permanently lost;
- 8. loss of all or part of the nipple/areola;
- 9. unexpected malignancies (cancer) may be found requiring more extensive surgery;
- 10. alteration of appearance of breast tissue during mammograms;
- 11. interference with ability to breast feed in future;
- 12. contour/firmness of breast nipple and/or breasts may not be symmetrical and the breasts may sag.

##### **D. Augmentation Mammoplasty with Implant Use or Breast Reconstruction Following Mastectomy with Implant Use**

*Note:* When silicone gel implants are used, FDA consent is required. Risks specific to this product have, therefore, been excluded from this list.

1. capsule formation (scar formation around implant resulting in hard breasts and/or pain);
2. deflation of implant;
3. loss of sensation to the nipple and breast;
4. persistent pain in breast;
5. distortion of breast mound at rest and with activities;
6. palpable implant;
7. infection possibly requiring removal of implants;
8. leakage of implant contents.

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### **§2349. Cardiology Procedures**

#### **A. Arterial Line Insertion**

1. swelling, pain, tenderness or bleeding at blood vessel entrance by catheter or needle;
2. injury to artery or vein entered or studied;
3. decrease in blood flow to area supplied by the artery;
4. nerve damage;
5. loss or loss of function of an arm or leg supplied by the artery;
6. possible need for surgery due to complications.

#### **B. Cardiac Catheterization**

1. death;
2. myocardial infarction (cardiac arrest/heart attack);
3. cerebrovascular complication (stroke);
4. injury to artery or vein entered or studied;
5. local, vascular complication (groin or arm);
6. bleeding, thrombosis, distal embolization, pseudoaneurysm, arteriovenous (AV) fistula (abnormal communication between an artery and a vein), hematomas, nerve damage, injury to the artery, delayed hemorrhage;
7. loss or loss of function of an arm or leg;
8. perforation of heart or great vessels;
9. vasovagal reaction (hypotension, slow heart rate);
10. arrhythmias and conduction disturbances (irregular heart beat);
11. kidney failure (partial or complete; may necessitate hemodialysis);
12. contrast related anaphylactoid reactions (allergies);
13. congestive heart failure;
14. pulmonary embolism;
15. bleeding requiring blood transfusion or surgery;
16. possible need for surgery due to complications;
17. scar formation at the site of entrance into the artery.

#### **C. General Angiography**

1. contrast related anaphylactoid reactions (allergies);
2. injury to artery or vein entered or studied;
3. loss or loss of function of an arm or leg;
4. kidney failure (partial or complete; may necessitate hemodialysis).

#### **D. Percutaneous Coronary Angioplasty/Stent Placement**

1. death;
2. brain damage (stroke);
3. quadriplegia;

4. paraplegia;
5. injury to artery or vein entered or studied;
6. loss or loss of function of an arm or leg;
7. disfigurement (including scars);
8. kidney failure (partial or complete; may necessitate hemodialysis);
9. loss of bowel and/or bladder function;
10. myocardial infarction (cardiac arrest/heart attack);
11. restenosis (subsequent recurrence of narrowing of blood vessel);
12. possible need for surgery due to complications;
13. contrast related anaphylactoid reactions (allergies);
14. hypotension (abnormally low blood pressure);
15. arrhythmias and conduction disturbances (irregular heart beat);
16. bleeding requiring blood transfusion or surgery;
17. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart);
18. stent thrombosis;
19. displacement of stent or instrument requiring retrieval.

#### **E. Thrombolysis □ Regional or Systemic**

1. death;
2. brain damage (stroke);
3. injury to artery or vein entered or studied;
4. loss or loss of function of an arm or leg;
5. bleeding requiring blood transfusion or surgery;
6. hematoma;
7. arrhythmias and conduction disturbances (irregular heart beat);
8. hypotension (abnormally low blood pressure);
9. contrast related anaphylactoid reactions (allergies).

#### **F. Coronary Intervention (Stents and Atherectomy)/Directional Coronary Arthrectomy (DCA), Transluminal Extraction Catheter Arthrectomy (TEC) and Rotational Atherectomy**

1. death;
2. brain damage (stroke);
3. quadriplegia;
4. paraplegia;
5. injury to artery or vein entered or studied;
6. loss or loss of function of an arm or leg;
7. disfigurement (including scars);
8. kidney failure (partial or complete; may necessitate hemodialysis);
9. loss of bowel and/or bladder function;
10. myocardial infarction (cardiac arrest/heart attack);
11. restenosis (subsequent recurrence of narrowing of blood vessel);
12. possible need for surgery due to complications;
13. contrast related anaphylactoid reactions (allergies);
14. hypotension (abnormally low blood pressure);
15. arrhythmias and conduction disturbances (irregular heart beat);
16. bleeding requiring blood transfusion or surgery;
17. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart);
18. side branch occlusion;
19. severe bradycardia (severe slowing of the heart);
20. stent thrombosis;
21. displacement of stent or instrument requiring retrieval;

22. perforation of heart or great vessels;

23. coronary vasospasm related to the instrument used.

G. Electrophysiologic Study Including Programmed Electrical Stimulation (EPS) (Stimulating the heart to search for abnormal heart beat)

1. perforation of heart or great vessels;

2. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart);

3. bleeding requiring blood transfusion or surgery;

4. injury to artery or vein entered or studied;

5. arrhythmia and conduction disturbances (irregular heart beat);

6. pneumothorax (collapse of lung);

7. death;

8. myocardial infarction (cardiac arrest/heart attack);

9. bleeding, thrombosis, distal embolization, pseudoaneurysm, arteriovenous (AV) fistula (abnormal communication between an artery and a vein), hematomas, nerve damage, injury to the artery, delayed hemorrhage;

10. thrombophlebitis (inflammation of the vein);

11. pulmonary embolism (blood clot from pelvis or legs that moves to lungs);

12. brain damage (stroke);

13. loss or loss of function of a leg or arm;

14. electrical burns to the chest.

H. Radiofrequency Catheter Ablation

1. perforation of heart or great vessels;

2. injury to artery or vein entered or studied;

3. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart);

4. bleeding requiring blood transfusion or surgery;

5. pneumothorax (collapse of lung);

6. death;

7. myocardial infarction (cardiac arrest/heart attack);

8. arrhythmia and conduction disturbances (irregular heartbeat);

9. bleeding, thrombosis, distal embolization, pseudoaneurysm, arteriovenous (AV) fistula (abnormal communication between an artery and a vein), hematomas, nerve damage, injury to the artery, delayed hemorrhage;

10. thrombophlebitis (inflammation of the vein);

11. pulmonary embolism (blood clot from pelvis or legs that moves to lungs);

12. brain damage (stroke);

13. loss or loss of function of a leg or arm;

14. electrical burns to the chest;

15. possible need for surgery due to complications;

16. damage to heart valve;

17. interruption of the normal electrical conduction system of the heart, requiring permanent pacemaker placement;

18. recurrence of arrhythmia after initially successful ablation.

I. Transesophageal Echocardiography

1. arrhythmias and conduction disturbances (irregular heartbeat);

2. myocardial infarction (cardiac arrest/heart attack);

3. aspiration pneumonia;

4. respiratory failure which may require ventilation;

5. trauma to vocal cords which may result in temporary or permanent vocal cord injury that may require surgical repair;

6. injury to artery or vein entered or studied;

7. injury to teeth, gums, or throat, esophageal bleeding, laceration or perforation which may require surgical repair.

J. Exercise Treadmill and Bicycle Stress Testing

1. death;

2. myocardial infarction (cardiac arrest/heart attack);

3. arrhythmias and conduction disturbances (irregular heartbeat);

4. prolonged angina (chest pain);

5. hypotension/hypertension (abnormally low blood pressure/high blood pressure);

6. brain damage (stroke);

7. syncope (fainting);

8. musculoskeletal injuries (injuries to bones, muscles, and/or joints).

K. Dobutamine Stress Testing

1. death;

2. myocardial infarction (cardiac arrest/heart attack);

3. prolonged angina (chest pain);

4. hypotension/hypertension (abnormally low blood pressure/high blood pressure);

5. brain damage (stroke);

6. arrhythmias and conduction disturbances (irregular heartbeat);

7. syncope (fainting);

8. injury to artery or vein entered or studied.

L. Automatic Implantable Cardioverter Defibrillator Implantation (Permanent Pacemaker)

1. bleeding requiring blood transfusion or surgery;

2. hemorrhage (bleeding) into the lungs, the pericardium (sac which surrounds the heart), and the chest cavity;

3. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart);

4. myocardial infarction (cardiac arrest/heart attack);

5. brain damage (stroke);

6. pneumothorax (collapse of lung);

7. perforation of heart or great vessels;

8. injury to artery or vein entered or studied;

9. possible need for surgery due to complications;

10. arrhythmia and conduction disturbances (irregular heart beat);

11. damage to trachea (windpipe) and/or pharynx (throat);

12. trauma to vocal cords which may result in temporary or permanent vocal cord injury that may require surgical repair.

M. Pericardiocentesis

1. perforation of heart or great vessels;

2. damage to coronary arteries including laceration;

3. possible need for surgery due to complications;

4. arrhythmia or conduction disturbances (irregular heart beat);

5. myocardial infarction (cardiac arrest/heart attack);

6. pneumothorax (collapse of lung);

7. death;

8. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart).

N. Electrical Cardioversion

1. electrical burns to the chest;
2. myocardial infarction (cardiac arrest/heart attack);
3. embolic event to any portion of the body (e.g., brain, bowel, kidney, eyes, arm, leg) which may lead to loss of, or loss of function of, affected portion of body;
4. injury to artery or vein entered or studied;
5. death;
6. brain damage (stroke);
7. arrhythmia and conduction disturbances (irregular heartbeat).

O. Endomyocardial Biopsy

1. injury to artery or vein entered or studied;
2. hemorrhage (bleeding) into the lungs, the pericardium sac which surrounds the heart and the chest cavity;
3. pericardial tamponade (compression of the heart due to accumulation of blood in the sac around the heart);
4. myocardial infarction (cardiac arrest/heart attack);
5. arrhythmias and conduction disturbances (irregular heartbeat);
6. pneumothorax (collapse of lung);
7. perforation of heart or great vessels;
8. possible need for surgery due to complications;
9. damage to trachea (windpipe) and/or pharynx (throat);
10. trauma to vocal cords which may result in temporary or permanent vocal cord injury that may require surgical repair;
11. displacement of stent or instrument requiring retrieval;
12. brain damage (stroke);
13. bleeding requiring blood transfusion or surgery.

P. Temporary Pacemaker Placement

1. injury to artery or vein entered or studied;
2. hemorrhage (bleeding) into the lungs, the pericardium (sac which surrounds the heart), the chest cavity and elsewhere;
3. pericardial tamponade (compression of the heart due to accumulation of blood or fluid in the sac around the heart);
4. brain damage (stroke);
5. myocardial infarction (cardiac arrest/heart attack);
6. pneumothorax (collapse of lung);
7. perforation of heart or great vessels;
8. possible need for surgery due to complications;
9. arrhythmia and conduction disturbances (irregular heartbeat);
10. trauma to vocal cords which may result in temporary or permanent vocal cord injury that may require surgical repair;
11. displacement of stent or instrument requiring retrieval.

Q. Pulmonary Angiogram and/or Right Heart Catheterization

1. injury to artery or vein entered or studied;
2. hemorrhage (bleeding) into the lungs, the pericardium (sac which surrounds the heart) and the chest cavity;
3. brain damage (stroke);
4. pneumothorax (collapse of lung);

5. myocardial infarction (cardiac arrest/heart attack);
6. perforation of heart or great vessels;
7. possible need for surgery due to complications;
8. arrhythmia and conduction disturbances (irregular heart beat);
9. shock;
10. infusion of fluid into the chest cavity, lungs, and pericardium;
11. contrast related anaphylactoid reactions (allergies);
12. death;
13. aggravation of the condition that necessitated the procedure;
14. bleeding requiring transfusion or surgery;
15. kidney failure (partial or complete; may necessitate hemodialysis);
16. respiratory complications (including need for prolonged ventilator (mechanical) support);
17. loss or loss of function of an arm or leg.

R. Cardiac Rehabilitation

1. death;
  2. arrhythmias and conduction disturbances (irregular heartbeat);
  3. myocardial infarction (cardiac arrest/heart attack);
  4. prolonged angina (chest pain);
  5. hypotension/hypertension (low blood pressure/high blood pressure);
  6. brain damage (stroke);
  7. syncope (fainting);
  8. musculoskeletal injuries (injuries to bones, muscles and/or joints);
  9. drowning (if involving water activities).
- S. Head up Tilt Test (Including vasoactive drugs)
1. syncope (fainting);
  2. seizure (convulsions);
  3. hypotension/hypertension (low blood pressure/high blood pressure);
  4. arrhythmia and conduction disturbances (irregular heartbeat);
  5. myocardial infarction (cardiac arrest/heart attack)
  6. brain damage (stroke).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40.E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, amended LR 25:1651 (September 1999).

**§2351. Cataract Surgery with or without Implantation of Intraocular Lens (placement of lens into eye)**

- A. Loss of Vision or Decrease in Vision
- B. Loss of Eye
- C. Infection
- D. Bleeding inside or behind the Eye
- E. Uncomfortable or Painful Eye
- F. Continued Need for Glasses
- G. Less Attractive Appearance, i.e., Droopy Eyelid
- H. Need for Laser Surgery to Correct Clouding of Vision
- I. Need for Additional Treatment and/or Surgery

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:193 (February 1994).

**§2353. Glaucoma Surgery**

- A. Loss of Vision or Decrease in Vision
- B. Loss of Eye
- C. Infection

- D. Bleeding inside or behind the Eye
- E. Uncomfortable or Painful Eye
- F. Less Attractive Eye
- G. Unsuccessful or Temporary Control of Glaucoma or Worsening of Glaucoma

H. Cataract Formation or Progression

I. Need for Additional Treatment and/or Surgery

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:193 (February 1994).

**§2355. Corneal Surgery: Corneal Transplant, Pterygium, or Other**

A. Loss of Vision or Decrease in Vision

B. Loss of Eye

C. Infection

D. Bleeding inside or behind the Eye

E. Uncomfortable or Painful Eye

F. Increased Eye Pressure

G. Less Attractive Eye

H. Need for Additional Treatment and/or Surgery

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:193 (February 1994).

**§2357. Laser Capsulotomy (creation of opening in lens membrane)**

A. Loss of Vision or Decrease in Vision

B. Failure to Improve Vision

C. Glaucoma (increased eye pressure)

D. Retinal Detachment (separation of nerve layers of eye)

E. Dislocation of Lens Implant

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:193 (February 1994).

**§2359. Enucleation or Evisceration (removal of eye or its contents)**

A. Bleeding

B. Infection

C. Chronic Discomfort or Pain

D. Less Attractive Appearance

E. Need for Additional Treatment and/or Surgery

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299, 40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:194 (February 1994).

**§2361. Radial Keratotomy (reshape cornea by multiple cuts)**

A. Loss of Vision or Decrease in Vision

B. Loss of Eye

C. Infection

D. Variable Vision

E. Radiating Images around Lights

F. Over Correction, under Correction or Distortion of Vision

G. Cataract Formation or Progression

H. Retained Need for Glasses

I. Inability to Wear Contact Lenses

J. Glare Problems Causing Loss of Ability to Drive

K. Need for Additional Treatment and/or Surgery

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:194 (February 1994).

**§2363. Eye Muscle Surgery**

A. Loss of Vision or Decrease in Vision

B. Loss of Eye

C. Double Vision

D. Need for Additional Eye Muscle Surgery

E. Infection

F. Less Attractive Appearance

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:194 (February 1994).

**§2365. Laser Treatment of Eye (glaucoma or retina problems)**

A. Loss of Vision or Decrease in Vision

B. Increase in Eye Pressure (Glaucoma)

C. Visual Distortion

D. Need for Surgery Inside of the Eye

E. Need for Additional Repeat Laser Treatment to Correct Clouding of Vision

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:194 (February 1994).

**§2367. Retina (nerve layer of eye)/Vitreous (central gel-like substance in eye) Surgery**

A. Loss of Vision

B. Loss of Eye

C. Infection

D. Bleeding

E. Uncomfortable or Painful Eye

F. Double Vision

G. Cataract Formation or Progression

H. Need for Additional Treatment and/or Surgery

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40E et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:194 (February 1994).

**§2371. Tubes in Ears**

A. Persistent Infection

B. Perforation of Eardrum or Cyst behind the Eardrum Requiring Surgical Repair

C. Need to Surgically Remove Tubes

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:669 (June 1994).

**§2373. Adenoidectomy**

A. Bleeding

B. Nasal Speech

C. Nasal Regurgitation of Food or Liquids

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:669 (June 1994).

**§2375. Tonsillectomy**

- A. Bleeding
- B. Injury to Nerves to Tongue
- C. Nasal Speech

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:669 (June 1994).

**§2377. Septoplasty**

- A. Bleeding
- B. Infection
- C. Injury to Nerve(s) of Upper Teeth
- D. Septal Perforation
- E. Spinal Fluid Leak

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994), amended LR 21:700 (July 1995), amended by the Office of Public Health, Medical Disclosure Panel, LR 23:75 (January 1997).

**§2379. Cauterization of Tissue in the Nose**

- A. Infection
- B. Scarring with Obstruction of Breathing
- C. Dryness of Nose

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2381. Rhinoplasty**

- A. Bleeding
- B. Infection
- C. Disappointing Cosmetic Result or Failure to Achieve Desired Result
- D. Impaired Breathing through Nose
- E. Septal Perforation

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2383. Endoscopic Sinus Surgery**

- A. Bleeding
- B. Infection
- C. Scar Formation
- D. Spinal Fluid Leak with Possible Infection of Brain Tissue
- E. Injury to Eye, Including Blindness
- F. Injury to Sense of Smell
- G. Injury to Tear Duct Drainage.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2385. Radical Neck (Extensive Neck Surgery)**

- A. Bleeding Requiring Transfusion
- B. Injury to Nerves of Shoulder Resulting in Numbness, Pain or Loss of Function
- C. Injury to Voice Box Resulting in Hoarseness or Speech Impairment
- D. Injury to Nerve of Diaphragm with Possible Impairment of Breathing

E. Injury to Nerve of Tongue Resulting in Loss of Sensation, Loss or Alteration of Sense of Taste or Possible Impairment of Speech

F. Injury to Mandibular Branch of Facial Nerve Resulting in Loss of Function of Lip or Cheek.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2387. Submandibular Gland Surgery**

- A. Bleeding
- B. Infection
- C. Injury to Nerve of Lip or Tongue

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2389. Tympanoplasty (Operation on Eardrum)**

- A. Infection
- B. Injury to Nerve of Tongue Causing Loss of Taste
- C. Loss of Hearing
- D. Perforation (Non-Healing)
- E. Ringing in Ears
- F. Dizziness
- G. Graft Failure

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2391. Tympanoplasty with Mastoidectomy (Operation on Eardrum and Removal of Bone behind Ear)**

- A. Infection
- B. Injury to Nerves of Tongue Causing Loss of Taste
- C. Injury to Nerves of Face Causing Paralysis
- D. Loss of Hearing
- E. Ringing in Ears
- F. Dizziness
- G. Hole in Eardrum
- H. Graft Failure

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2393. Direct Laryngoscopy (Passage of Lighted Tube into the Voice Box)**

- A. Persistent Hoarseness
- B. Broken Teeth
- C. Perforation of Throat

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2395. Parotidectomy (Removal of Salivary Gland near the Ear)**

- A. Bleeding
- B. Infection
- C. Facial Nerve Palsy
- D. Numbness of Ear

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:670 (June 1994).

**§2400. Esophageal Dilation/  
Esophagogastroduodenoscopy**

- A. Infection
- B. Bleeding which May Require Transfusion and/or Surgery
- C. Perforation of Esophagus, Stomach, Intestinal Wall which may Require Surgery
- D. Respiratory Arrest
- E. Cardiac Arrhythmias (Irregular Heartbeats)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:895 (August 1994).

**§2404. Diagnostic and Therapeutic ERCP (Endoscopic Retrograde Cholangio Pancreatogram)**

- A. Infection
- B. Bleeding which may Require Transfusion
- C. Perforation of Esophagus, Stomach, Intestinal Wall or Ducts which May Require Surgery
- D. Cardiac Arrhythmias (Irregular Heartbeats)
- E. Pancreatic Inflammation

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2406. Colonoscopy**

- A. Infection
- B. Bleeding which may Require Transfusion and/or Surgery
- C. Perforation of Colon or Rectal Wall which may Require Surgery
- D. Cardiac Arrhythmias (Irregular Heartbeats)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2408. Sigmoidoscopy/Proctoscopy**

- A. Infection
- B. Bleeding which may Require Transfusion and/or Surgery
- C. Perforation of Colon or Rectal Wall which may Require Surgery
- D. Cardiac Arrhythmias (Irregular Heartbeats)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2410. Esophageal Manometry**

- A. Esophageal Perforation which may Require Surgery
- B. Aspiration Pneumonia
- C. Cardiac Arrhythmias (irregular heartbeats)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2412. Percutaneous Needle Biopsy of the Liver**

- A. Bleeding Requiring Transfusion and/or Surgery
- B. Lung Collapse which may Require Surgery

- C. Internal Leakage of Bile which may Require Surgery
- D. Puncture of other Organs which may Require Surgery
- E. Aspiration Pneumonia

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2414. 24-Hour PH Monitoring**

- A. Aspiration Pneumonia
- B. Cardiac Arrhythmias (Irregular Heartbeats)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2416. Gastrectomy or Vagotomy and Pyloroplasty**

- A. Infection in Incision or Inside Abdomen
- B. Bleeding which may Require Transfusion
- C. Leakage from Stomach (Fistula)
- D. Inability to Maintain Weight
- E. "Dumping Syndrome" (Chronic Vomiting after Eating)
- F. Inability to eat Large Amount of Food, Especially Early after Surgery
- G. Diarrhea
- H. Need for Vitamin B-12 Injections for Life if Total Gastrectomy is Needed
- I. Recurrence of Condition for which Surgery was Originally Done

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2418. Colon Resection**

- A. Infection in the Incision
- B. Intra-Abdominal Infection (Abscess) Requiring Additional Surgery and Prolonged Hospitalization
- C. Leakage from Colon (Fistula) Requiring Additional Surgery and Possible Colostomy (Colon Empties into Bag Worn on the Abdomen)
- D. Injury to other Organ or Blood Vessel Requiring Additional Surgery or Blood Transfusion
- E. Diarrhea, Sometimes Permanent
- F. Hernia in Incision Requiring Additional Surgery for Repair
- G. Recurrence of Cancer (if Surgery is done for Cancer)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2420. Appendectomy**

- A. Infection in the Incision
- B. Bleeding from or into Incision
- C. Intra-Abdominal Infection (Abscess) Requiring Additional Surgery and Prolonged Hospitalization
- D. Leakage from the Colon (Fistula) Requiring Additional Surgery and/or Colostomy (Colon Empties into Bag Worn on the Abdomen)
- E. Hernia in the Incision

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:896 (August 1994).

**§2422. Hernia Repair**

A. Infection in the Incision, Possibly Requiring Additional Surgery to Remove Mesh if used for Repair

B. Bleeding into Incision or Scrotum Resulting in Marked Swelling with Pain, Possibly Requiring Additional Surgery

C. Recurrence of Hernia

D. Injury to or Loss of Testicle(s) or Spermatic Cords(s), Possibly Causing Sterility

E. Nerve Injury Resulting in Numbness or Chronic Pain in Groin Area

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:897 (August 1994).

**§2424. Hemorrhoidectomy or Excision of Anal Fistula or Fissure**

A. Bleeding at Operative Site

B. Post-Operative Pain, Especially with Bowel Movements

C. Temporary/Permanent Difficulty Controlling Bowel Movements or Passage of Gas

D. Recurrence of Hemorrhoids or Fistula or Fissure

E. Narrowing of Anal Opening Requiring Additional Surgery or Repeated anal Dilatations

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:897 (August 1994).

**§2426. Excisional Breast Biopsy**

A. Infection;

B. Blood clot (hematoma);

C. Failure to obtain accurate diagnosis;

D. Disfiguring scar;

E. Failure to locate and remove abnormality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:897 (August 1994).

**§2428. Lumpectomy (partial excision of breast) with Axillary Dissection**

A. Infection

B. Blood Clot (Hematoma)

C. Disfiguring Scar

D. Fluid Collection in Axilla (Arm Pit)

E. Numbness to Arm

F. Swelling of Arm on Side of Surgery

G. Damage to nerves of Arm or Chest Wall, Resulting in Pain, Numbness, Weakness

H. Local Recurrence of Cancer

I. Complication of Irradiation

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 20:897 (August 1994).

**§2430. Intravenous Injection of Radiopaque Contrast Media (both ionic and nonionic)**

A. This procedure has been identified by the Louisiana Medical Disclosure Panel as having no risks that are required to be disclosed. Absence of required disclosure of risks does not mean that consent for the treatment or procedure is not necessary. Furthermore, it may be necessary to disclose risks if a complicating medical condition is present.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E), et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 10:1126 (October 1994), repromulgated LR 20:1126 (October 1994).

**§2432. Ventriculoperitoneal Shunt Placement**

NOTE: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. Malfunction of Shunt Due to Infection

B. Collection of Blood or Fluid between Brain and Skull (Subdural Hematoma/Hygroma)

C. Headaches (Low Pressure Syndrome)

D. Development of Condition Requiring another Shunt (e.g., Isolated Ventricle)

E. Weakness or Loss of Sensation or other Function Due to Placement of Catheter

F. Blood Clot in Brain (Intracerebral Hematoma)

G. Failure to Absorb Fluid from Peritoneal Cavity (Fluid in Abdomen)

H. Blindness, Seizures or Epilepsy

I. Leaks in Catheter And Its Connections

J. Injury to Abdominal Organs

K. Mechanical Failure

L. Separation or Migration of Catheter

M. Infection with or without Malfunction of Shunt

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 21:471 (May 1995).

**§2434. Ventricular Atrial Shunt Placement**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. All of the Material Risks for Ventriculoperitoneal Shunt Placement

B. Heart Failure

C. Infection in Blood Stream

D. Occlusion of Large Veins in Chest

E. Blood or Fluid Collection around Heart

F. Blood Clots in the Lung

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 21:471 (May 1995).

**§2436. Lumboperitoneal Shunt Placement**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. Inflammation Reaction in Nerves of Spinal Canal

B. Curvature of Spine

C. Shifting/Movement of Brain with Neurological Impairment

D. Headaches

E. Spasticity

F. Difficulty Swallowing

G. Other Neurological Difficulties

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 21:471 (May 1995).

**§2438. Hemodialysis**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. Hypotension (Abnormally Low Blood Pressure)

B. Blood Vessel Access Problems

C. Anticoagulant Complications such as Hemorrhage

D. Sepsis (Infection in Blood Stream)

E. Cardiac Arrhythmias (Irregular Heartbeats)

F. Allergic Reactions To Tubing And Dialyzer

G. Abdominal Pain

H. Pulmonary Edema (Excess Fluid in Lungs)

I. Hypertension (High Blood Pressure)

J. Systemic Poisoning from Accumulation of Toxic

Levels of Metabolic By-Products

K. Air Bubbles in the Bloodstream

L. Abnormal Levels of Minerals in the Blood

M. Acute Hemolysis

N. Seizure

O. Blood Loss

P. Hypothermia (Lowered Body Temperature)

Q. Hyperthermia (Fever)

R. Transfusion Complications, such as Allergic Reaction to Blood Products

S. Metabolic Disorders (Protein Loss, Malnutrition, Elevated Blood Sugar)

T. Acquisition of Viral Infection such as Hepatitis or HIV

U. Cardiac Arrest (Heart Stoppage)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, in consultation with the Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended LR 22:30 (January 1996).

**§2440. Peritoneal Dialysis**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. Peritonitis (Infection within the Abdominal Cavity)

B. Catheter Complications (Perforation of an Organ In the Abdomen)

C. Hypotension (Abnormally Low Blood Pressure)

D. Metabolic Disorders (Protein Loss, Malnutrition, Elevated Blood Sugar)

E. Hypertension (High Blood Pressure)

F. Pulmonary Edema (Excess Fluid in Lungs)

G. Cardiac Arrhythmias (Irregular Heartbeats)

H. Cardiac Arrest (Heart Stoppage)

I. Use of Temporary Access Catheter

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, in consultation with the Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended LR 22:30 (January 1996).

**§2442. Insertion of Temporary Hemodialysis Access**

**Catheter**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. Blood Clots, Requiring Re-Operation

B. Infection

C. False Aneurysm (Damaged Blood Vessel with Swelling And Risk Of Rupture)

D. Recurrent Thrombosis (Blood Clot)

E. Severe Edema Of Extremity (Swelling)

F. Inadequate Blood Supply to Extremity (Interference with Blood Supply)

G. Inadequate Blood Supply to Nerves with Resulting Paralysis

H. Pneumothorax (Air in Chest Cavity Causing Collapse of Lung)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, in consultation with the Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended LR 22:30 (January 1996).

**§2444. Insertion of Temporary Peritoneal Dialysis**

**Catheter**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. Peritonitis (Infection inside the Abdominal Cavity)

B. Bleeding

C. Infection

D. Intestinal Perforation (Piercing of an Organ Within the Abdominal Cavity)

E. Ileus (Sluggishness and Distention of Intestines)

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, in consultation with the Louisiana Medical Disclosure Panel, LR 18:1391 (December 1992), repromulgated LR 19:1581 (December 1993), amended LR 22:30 (January 1996).

**§2446. Percutaneous Renal Biopsy Complications**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

A. Injury to Adjacent Organs, such as Spleen or Liver

B. Infection

C. Hypotension (Abnormally Low Blood Pressure)

D. Bleeding from the Kidney

E. Internal Bleeding

F. Intestinal Perforation

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 22:31 (January 1996).

**§2449. Urology**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified

practitioners from using those risks identified for that particular procedure.

A. Nephrectomy (complete or partial removal of kidney)

1. bleeding;
2. infection;
3. injury to adjacent organs such as lung, spleen, liver, bowel, adrenal gland (if not removed);
4. incomplete removal of tumor, if present.

B. Extracorporeal Shock Wave Lithotripsy (using shock waves to break up kidney or ureteral stones)

1. bleeding in or around kidney;
2. obstruction of kidney by stone particles;
3. failure to completely fragment stone requiring repeat treatment or other form of treatment;
4. high blood pressure (transient or permanent);
5. loss of kidney.

C. Cystectomy with Urinary Diversion (removal of bladder with use of bowel to drain urine)

1. bleeding requiring blood transfusion;
2. infection;
3. injury to adjacent organs (bowel, blood vessels, nerves, etc.);
4. impotence (loss of erection functions);
5. ostomy problems (scarring, infection) which might necessitate re-operation.

D. Transurethral Prostatectomy (use of lighted scope and cautery to internally remove portion of prostate causing blockage)

1. bleeding requiring transfusion or re-operation;
2. infection;
3. injury to bladder or urethra or rectum;
4. impotence;
5. retrograde ejaculation ("dry ejaculation" □ backward flow of ejaculate fluid into bladder) producing infertility;
6. bladder neck contracture □ formation of scar tissue causing bladder blockage requiring repeat surgery or treatment;
7. incontinence (urinary leakage).

E. Radical Prostatectomy (total removal of prostate gland)

1. bleeding;
2. infection;
3. injury to adjacent organs (blood vessels, bowel, nerves);
4. blockage of ureters (kidney drainage tubes);
5. erectile dysfunction (impotence, i.e., loss of erection/ejaculation);
6. incontinence (urinary leakage).

F. Bladder Suspension (MMK, Pererya □ Procedure, Cystocele Repair, etc.)

1. bleeding;
2. infection;
3. blockage of ureters (kidney drainage tubes);
4. persistent leakage;
5. urinary fistula (abnormal hole in connection between bladder, vagina, etc.);
6. inability to void.

G. Vasectomy

1. bleeding;
2. infection;
3. testicular swelling or pain/possible loss of testicular function;
4. spermatic granuloma (nodule in cord at site of surgery);

5. recanalization ("re-connection" of vas tube resulting in becoming fertile again).

H. Penile Implant

1. bleeding;
2. infection (with possible loss of implant);
3. penile pain or numbness;
4. injury to bladder or urethra;
5. problems with implantable prosthetic.

I. Orchiectomy (removal of testicle)

1. bleeding;
2. infection;
3. loss of hormone (testosterone) resulting in erection problems, decreased energy, etc.;
4. loss of fertility (ability to have children).

J. Varicocele Repair (ligation/tying of spermatic veins)

1. bleeding;
2. infection;
3. injury to spermatic cord (vas deferens), testicular artery, nerves;
4. testicular swelling or pain;
5. possible loss of testicle due to blood vessel injury or infection (rare).

K. Transurethral Resection of Bladder Tumor

1. bleeding;
2. infection;
3. perforation of bladder;
4. obstruction of ureter (kidney drainage tube).

L. Circumcision (removal of penile foreskin)

1. ulceration and scarring of urine hole at tip of penis (meatal stenosis);
2. bleeding;
3. infection (minor or serious);
4. removal of too much or too little skin;
5. skin bridge;
6. fistula (abnormal hole in urine tube);
7. buried penis.

M. Hernia/Hydrocele (removal of fluid filled sac)

1. injury to sperm duct (vas deferens);
2. injury to blood vessels of testis;
3. atrophy (shriveling) of the testicle with loss of function;
4. reaccumulation of hernia or fluid in scrotum.

N. Hypospadias Repair (Correction of Penile Curvature/Urethroplasty) (Construction/reconstruction of drainage tube from bladder)

1. leakage of urine at surgical site;
2. stricture formation;
3. residual curvature of penis;
4. disfiguring scars;
5. injury to glans (head of penis);
6. additional operations.

O. Ureteral Reimplantation (Reinserting ureter, tube between kidney and bladder, into the bladder)

1. leakage of urine at surgical site;
2. obstruction to urine flow;
3. damage to or loss of ureter (kidney drainage tube);
4. backward flow of urine from bladder into ureter (kidney drainage tube);
5. damage to other adjacent organs;
6. damage to kidney.

P. Pyeloplasty (pyeloureteroplasty □ reconstruction of kidney drainage system)

1. obstruction of urinary flow;
2. leakage of urine at surgical site;

3. injury to or loss of kidney;
4. damage to adjacent organs;
5. decrease in kidney function□temporary/permanent;
6. infection with resultant failure of surgery and/or loss of kidney function.

Q. Orchiopexy (surgically placing an undescended testicle into the scrotum)

1. atrophy (shriveling) of the testicle with loss of function;
2. removal of the testicle;
3. injury to the vas deferens;
4. inability to completely bring the testicle into the scrotum in a single surgical procedure;
5. recurrent hernia formation;
6. infection with possible loss of testicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 22:31 (January 1996), repromulgated LR 22:285 (April 1996), LR 22:712 (August 1996).

#### **§2451. Gastric Lap Band for Obesity**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for the particular procedure.

##### **A. Risks of Surgery**

1. Damage to surrounding organs:
  - a. bowel, pancreas, liver, requiring more surgery;
  - b. blood vessels and/or spleen with bleeding requiring transfusion;
  - c. with removal of spleen.

##### **B. Risks of Recovery Period**

1. Abdominal wound problems:
  - a. infection, failure to heal, severe scarring, hernia.
2. Blood clots in the legs and/or pulmonary embolism (clots moving to lungs).
3. Pneumonia or other breathing problems requiring prolonged need for ventilator (breathing machine).

##### **C. Need for additional surgery due to:**

1. gallstones with possible inflammation of the liver and/or pancreas;
2. stomach or intestinal blockage from trapped food or scarring;
3. abdominal infection with abscess;
4. bleeding.

##### **D. Other long term risks:**

1. extreme weight loss;
2. failure to lose weight;
3. large folds of loose skin;
4. depression as a result of weight loss, required diet change, or complications of surgery;
5. failure of the procedure;
6. vitamin and/or mineral deficiency, possibly requiring lifelong injections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 24:1304 (July 1998).

#### **§2453. Gastric Bypass with or without Liver Biopsy for Obesity**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified

practitioners from using those risks identified for the particular procedure.

##### **A. Risks of Surgery:**

1. damage to surrounding organs:
  - a. bowel, pancreas, liver, requiring more surgery;
  - b. blood vessels and/or spleen with bleeding requiring transfusion;
  - c. with removal of spleen.

##### **B. Risks of Recovery Period:**

1. abdominal wound problems:
  - a. infection, failure to heal, severe scarring, hernia;
2. blood clots in the legs and/or pulmonary embolism (clots moving to lungs);
3. Pneumonia or other breathing problems requiring prolonged need for ventilator (breathing machine);

##### **C. Need for additional surgery due to:**

1. gallstones with possible inflammation of the liver and/or pancreas;
2. stomach or intestinal blockage from trapped food or scarring;
3. abdominal infection with abscess;
4. bleeding.

##### **D. Other long term risks:**

1. extreme weight loss;
2. failure to lose weight;
3. large folds of loose skin;
4. depression as a result of weight loss, required diet change, or complications of surgery;
5. failure of the procedure;
6. excessive flatulence (passing bowel gas);
7. severe, persistent diarrhea;
8. vitamin and/or mineral deficiency, possibly requiring lifelong injections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 24:1305 (July 1998).

#### **§2455. Thoracentesis (insertion of needle or tube for drainage of chest cavity fluid)**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for the particular procedure.

##### **A. Bleeding**

##### **B. Pneumothorax (Lung Collapse)**

##### **C. Infection**

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 24:1305 (July 1998).

#### **§2457. Cancer Chemotherapy (treatment of cancer using anti-cancer medications)**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for the particular procedure.

##### **A. Hair Loss**

**B. Damage to Blood Forming Organ (Bone Marrow) which May Result in Bleeding, Infection, Anemia, and Possible Need for Transfusion**

**C. Damage to Brain, Heart, Kidneys, Liver, Lungs, Nervous System, and Skin**

##### **D. Serious Allergic Reaction Including Shock**

##### **E. Sterility**

- F. Nausea and/or Vomiting
- G. Constipation or Diarrhea
- H. Sores on Lips and/or Ulcers in the Lips, Mouth, Throat, Stomach, Rectum
- I. Loss of Lining of Intestinal Tract from Mouth to Anus
- J. Secondary Cancer (Cancers in the Future Caused by Chemotherapy)
- K. Local Damage at Injection Site

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Medical Disclosure Panel, LR 24:1305 (July 1998).

#### **§2459. Intravenous Conscious Sedation**

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for the particular procedure.

A. The risks for Intravenous Conscious Sedation will be covered by 4 (c), as stated in the main consent form [death, brain damage, disfiguring scars, quadriplegia (paralysis for neck down), paraplegia (paralysis from waist down), the loss or loss of function of any organ or limb, infection, bleeding, and pain].

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Louisiana Medical Disclosure Panel, LR 24:1305 (July 1998).

#### **§2461. Cervical Manipulation/Adjustment**

Editor's Note: This Section was originally promulgated as §2440 but was moved as that number was in use.

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

- A. Stroke
- B. Disc Herniation
- C. Soft Tissue Injury
- D. Rib Fracture

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 21:701 (July 1995).

#### **§2463. Thoracic or Lumbar Manipulation/Adjustment**

Editor's Note: This Section was originally promulgated as §2442 but was moved as that number was in use.

Note: Itemization of the procedures and risks under a particular specialty does not preclude other qualified practitioners from using those risks identified for that particular procedure.

- A. Disc Herniation
- B. Soft Tissue Injury
- C. Rib Fractures

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.40(E) et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Medical Disclosure Panel, LR 21:701 (July 1995).